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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/622,142	07/18/2003	Young Jin Kim	839-1216	1867
23117	7590	01/10/2005		
NIXON & VANDERHYE, PC 1100 N GLEBE ROAD 8TH FLOOR ARLINGTON, VA 22201-4714			EXAMINER JONES, JUDSON	
			ART UNIT 2834	PAPER NUMBER

DATE MAILED: 01/10/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

MA

Office Action Summary	Application No.	Applicant(s)	
	10/622,142	KIM ET AL.	
	Examiner	Art Unit	
	Judson H. Jones	2834	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-11 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1,2,4,5,10 and 11 is/are rejected.
- 7) ☒ Claim(s) 3 and 6-9 is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>121203</u> . | 6) <input type="checkbox"/> Other: ____. |

DETAILED ACTION

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1, 4, 5, 10 and 11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Travaly 5,581,869 A in view of Budinger et al. 6,527,165 B1. Travaly teaches a method of repairing the end fittings of a water-cooled stator bar by disconnecting the inlet and outlet end fittings of said stator bar (as described in column 2 lines 35-38) and brazing the joints (as described in column 2 lines 56-58) but does not disclose applying a protective coating to the brazed joint. Budinger et al. teaches applying a protective coating to a brazed joint in column 2 lines 2-14. Since Travaly teaches in column 1 lines 37 ½ to 39 ½ that brazed joints have problems with corrosion and Budinger et al. teaches how to protect brazed joints from corrosion, it would have been obvious at the time the invention was made for one of ordinary skill in the art to have utilized the technique of applying a protective coating to a brazed joint. As for the composition of the coating, see Budinger et al. column 2 line 53.

In regard to claim 4, see Travaly column 1 lines 15 ½ to 19 ½. Since water flows in the stator bars of the Travaly device, that water will come in contact with brazed joint and oxidize said joint.

In regard to claim 5, see Travaly column 2 lines 44-48.

In regard to claim 11, see Travaly figure 1 and see Travaly column 2 lines 30-55.

Claim 2 is rejected under 35 U.S.C. 103(a) as being unpatentable over Travaly as modified by Budinger et al. as applied to claim 1 above, and further in view of Zhao et al. 6,645,560 B2. Travaly as modified by Budinger et al. discloses the method of repairing end fitting with a protective coating over a brazed joint but does not disclose the thickness of the protective coating. Zhao et al. teaches oxidation resistant protective coatings in column 3 lines 8-18 and teaches a thickness of 10 to 200 microns in column 4 lines 66-67. Since Travaly as modified by Budinger et al. discloses a protective coating but does not disclose the thickness of the coating, it would have been obvious at the time the invention was made for one of ordinary skill in the art to have turned to a reference such as Zhao et al. that discloses a protective coating and discloses the thickness of such a coating.

Allowable Subject Matter

Claims 3 and 6-9 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

The following is a statement of reasons for the indication of allowable subject matter: The prior art of record does not disclose or teach the use of a pencil coater to apply a protective coating in combination with the other features of claim 3. The prior art of record does not disclose or teach dovetailing the end portions of inlet and outlet end fittings in combination with the other features of claim 6.

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Peter 3,681,634 discloses the use of dovetail connections between motor parts in figure 1. Dovetails are well known in the woodworking and metal fabrication arts. However it is

Art Unit: 2834

difficult to figure out why and how one might utilize dovetail joints in the Travaly device. Using dovetail joints in a method for repairing stator bars does not seem obvious.


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Judson H. Jones whose telephone number is 571-272-2025. The examiner can normally be reached on 8-4:30 M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Darren Schuberg can be reached on 571-272-2044. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



JHJ 1/3/2004



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